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| APPLICATION NO.       | FILING DATE | FIRST NAMED INVENTOR  | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------|-------------|-----------------------|---------------------|------------------|
| 10/758,347            | 01/15/2004  | Arun Nandkishor Dixit | 126124-4            | 5316             |
| 23413                 | 7590        | 01/07/2005            | EXAMINER            |                  |
| CANTOR COLBURN, LLP   |             |                       | SASTRI, SATYA B     |                  |
| 55 GRIFFIN ROAD SOUTH |             |                       | ART UNIT            |                  |
| BLOOMFIELD, CT 06002  |             |                       | PAPER NUMBER        |                  |

1713

DATE MAILED: 01/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental  
Notice of Allowability**

Application No.

10/758,347

Examiner

Satya B Sastri

Applicant(s)

DIXIT ET AL.

Art Unit

1713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 12/9/04.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>11/10/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

### ***REASONS FOR ALLOWANCE***

1. This supplemental notice of allowance is in response to an information disclosure statement (IDS) submitted on November 10, 2004 and also to correct a typographical error in the reasons of allowance in notice of allowance mailed on October 28, 2004. *Claims 1-24* are now pending in the application.

2. The information disclosure statement (IDS) submitted on November 10, 2004 was filed after the mailing date of the Notice of Allowance on October 28, 2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement has been considered by the examiner.

### ***Reasons For Allowance***

3. *Claims 1-24* are allowed.

4. The following is an Examiner's Statement of Reasons for Allowance:

The instant claims are allowable over combined references to Hildreth et al. (US 3,507,606), Rose (US 3,979,459) and Organic Chemistry (John McMurry, Second Ed., 1988, pages 751, 530-533) is also withdrawn prior art to Schliesman et al. (US 6,140,406).

The instant invention relates to the method of preparing 1-[4-(biphenyl-4-carbonyl)]phenylaminoanthraquinone colorant from 4-halobenzoic acid, biphenyl and 1-aminoanthraquinone by sequentially activating halobenzoic acid, subjecting the same to Friedel

Art Unit: 1713

Crafts condensation with biphenyl and subsequently reacting the condensation product with 1-aminoanthraquinone.

The primary reference to Hildreth et al. discloses dyes based on anthraquinone derivatives and the methods for preparing the same. The disclosure includes a pink dye based on the reaction of an anthraquinone derivative containing at least one primary group with a halogenated compound such as p-chlorobenzaldehyde, p-bromobenzaldehyde, p-bromobenzophenone etc. The prior art discloses the method to a dye based on a phenyl as opposed to a biphenyl substituent disclosed in the instant invention and does not suggest or teach the substitution of phenyl with biphenyl groups. Therefore, the instantly claimed invention is deemed allowable over closest prior art of record as per said art neither anticipating nor rendering, alone or in combination, the instantly claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

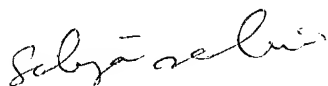
#### *Future Correspondence*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satya Sastri whose telephone number is 571-272-1112.

Art Unit: 1713

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on 571-272-1114. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9306 for regular communications. The unofficial direct fax phone number to the Examiner's desk is 571-273-1112.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SATYA SASTRI

January 4, 2004

TATYANA ZALUKAEVA  
PRIMARY EXAMINER

